



United States Department of the Interior

National Park Service
Biscayne National Park
9700 S. W. 328th Street
Homestead, Florida 33033-5634



Superintendent's Compendium

Compendium of Designations, Closures,
Request Requirements and Other Restrictions
imposed under the discretionary authority
of the Superintendent.

Approved:

Mark Lewis

Mark Lewis, Superintendent

1/13/11

Date

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter I, Parts 1 through 7, authorized by Title 16, United States Code, Section 3, the following regulatory provisions are established for the proper management, protection, government and public use of the portion of Biscayne National Park under the jurisdiction of the National Park Service. These discretionary regulations are in addition to the other regulations published in Title 36 CFR, Chapter I, and Parts 2 through 7. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1.

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36 CFR 1.5 (a) (1) or (2)

1. CLOSED AREAS

Question: Are there any areas within Biscayne National Park closed year round to all public entry?

Answer: Yes, the following areas are closed year round:

- A. Arsenicker Key
- B. West Arsenicker Key
- C. Within 200' of both Arsenicker and West Arsenicker Keys
- D. Soldier Key
- E. The rocky area past the jetty at Convoy Point known as the bird observation area
- F. Surfboards, kite boards or any other wind propelled hard rigid devices (not including sailboats) are prohibited in marked navigational channels.
- G. All Stiltsville structures are closed to the public/visitors except those individuals who possess a special use permit allowing for that use.
- H. All residences at Elliott and Adams Key are closed to public use. This includes the housing unit itself and the area underneath and within 100 feet from the house.

Question: Why?

Answer: These areas are closed to all public entry (except those individuals with a special use permit) for the protection the visitors as well as wildlife and critical sensitive resources.

2. VISITING HOURS

Question: Are there any schedules of visiting hours in any areas?

Answer: Yes, these are the areas and times:

- A. The public use area of Biscayne National Park on the mainland tract known as Convoy Point is closed to all visitor use from 5:30 p.m. until 7:00 am seven days a week, 365 days of the year, except when a special use permit exists and/or an approved operation and/or event by the concessionaire.

Question: Why?

Answer: Visitor services are not available at Convoy Point during these hours.

- B. Unless otherwise authorized or because of emergency circumstances, the docks at Adams Key in Caesar Creek are closed to any mooring or docking of non-NPS vessels from sunset to sunrise. Adams Key is closed to public use during these hours as well.

Question: Why?

Answer: Adams Key is not an authorized overnight camping area since there is little available dockage space for any vessel. Also the vessels tied to the dock could be thrown into the concrete and wood structure by wakes from other vessels traveling through Caesar Creek.

- C. Unless otherwise authorized or because of emergency circumstances, University Dock on Elliott Key is closed to any mooring or docking of non-NPS vessels from sunset to sunrise.

Question: Why?

Answer: University Dock does not lead to any developed areas at Elliott Key.

3. CLOSED/RESTRICTED DOCKING, BEACHING, ANCHORING, ANCHORING RESTRICTIONS, LAUNCHING, MOORING AND RAFTING (as well as vehicle parking)

Question: Are there any areas closed to all docking, beaching, anchoring, launching, mooring or other use by private vessels?

Answer: Yes, the following areas are closed to private vessels unless otherwise authorized by a law enforcement ranger or because of an emergency situation where life and/or property are in jeopardy.

A. "No docking" areas include the following:

- The maintenance work dock at Elliott Key
- The marked "no docking"/"reserved park staff" boat slips and the marked "no docking" bulkhead in Elliott Key harbor.
- The marked "no docking"/"reserved park staff" bulkhead area at Boca Chita Key.
- The National Park Service south boat basin and boat ramp at Convoy Point.
- The northern side of Adams Key dock as well as the small wooden dock north of the main concrete dock.
- The concrete wall on the west side of Soldier Key.
- The marked "park tour boat docking only" area of University Dock.

B. "Beaching" of vessels is defined as a vessel whose keel is resting on emerged or submerged coast line of any land mass. "No beaching" areas include the following:

- Any shore areas of Soldier Key.
- Any shore areas of Boca Chita Key.
- Any shore areas on the western and eastern sides of Elliott Key.

C. "No anchoring" areas include the following:

- Within Boca Chita Key Harbor.
- Within Elliott Key Harbor.
- Within the slow speed zone marked by buoys at the mouth of Boca Chita Key Harbor.
- The triangular shaped area, determined by connecting lines between U.S. Coast Guard navigational day marker #7 and #13 in Hawk Channel and Triumph Reef Light known as the Legare Anchorage.
- Within the slow speed zone marked by buoys at the mouth of Elliott Key Harbor.
- Within any marked navigational channel.

D. Following is a list of "Anchoring Restrictions" and the "Locations" to where these restrictions apply:

The anchoring restrictions listed below apply at the following location:

- Within the area marked by slow speed/minimum wake zone buoys from the southwestern tip of Sands Key running south to just east of Coon Point
- and from that point, running west to Coon Point on the shore line of Elliott Key including the entire area from the buoys to the shore line of Elliott Key and ending between the southern tip of Sands Key and the northern tip of Elliott Key where Sands Cut leads to the open ocean.

“Anchoring” Restrictions:

- Any vessel at anchor or whose hull is being supported in part or completely by a flat or shallow sea bottom, must maintain a minimum distance of one hundred feet (100') from any other vessel or a rafted/tied together group of vessels,
- The only exception to this rule is when such vessel is tied or "rafted" to another vessel.
- For this purpose, tied or "rafted" vessels are vessels whose proximity to each other and/or the group of "rafted" vessels is five feet (5') or less in distance.
- Limits on rafting of vessels are stated below under "Rafting restrictions".
- This regulation does not apply to vessels:
 - in or within one thousand feet (1000') of University Dock or
 - docked at University Dock or tied or rafted to another vessel which is docked to University Dock

E. “No public launching” areas include the following:

- The ramp at Convoy Point.
- (This regulation does not pertain to Biscayne National Park employees and other authorized volunteers and/or cooperators).

F. “Public mooring” restrictions are as follows:

- No more than one other vessel may raft to a vessel tied to /docked at the cleated bulkhead at Boca Chita Key. This does not preclude the rafting of a vessel’s tender alongside in addition to the allowable one additional vessel. A vessel tender is described as any vessel fourteen (14’ 00”) feet or less. Any tender larger than fourteen feet (14’ 00”) will be counted as the additional allowable vessel.
- Vessels are only permitted to moor parallel to the bulkhead at Boca Chita Key.
- No more than one vessel may tie or moor to a mooring buoy.
- Vessels tied to mooring buoys will not moor for more than 4 hours and the size of the vessel may not exceed 45’.

G. Following is a list of "Vessel Rafting Restrictions" and the "Locations" to where these restrictions apply:

The “vessel rafting” restrictions listed below apply at the following locations:

- Within the area marked by slow speed/minimum wake zone buoys from the southwestern tip of Sands Key running south to just east of Coon Point
- and from that point, running west to Coon Point on the shore line of Elliott Key including the entire area from the buoys to the shore line of Elliott Key and ending between the southern tip of Sands Key and the northern tip of Elliott Key where Sands Cut leads to the open ocean.

“Vessel Rafting” Restrictions:

- No more than five (5) vessels may “raft” or tie/attach to one another by means of line or any other means.
- As stated in section 3.D, such groups of “rafted” or tied vessels must maintain one hundred feet (100’) separation from other individual vessels
- Also as stated in section 3.D, such groups of “rafted” or tied vessels must maintain one hundred feet (100’) separation from other “rafted” groups of vessels.
- For this purpose, tied or “rafted” vessels are vessels whose proximity to each other and/or the group of “rafted” vessels is five feet (5’) or less in distance.
- This regulation does not apply to vessels in or within one thousand feet (1000’) of University Dock.
- This regulation does not apply to any vessel docked at University Dock or tied or rafted to another vessel which is docked to University Dock.

H. “Vehicle parking” restrictions are as follows:

- The area of park road directly in front of the Dante Fascell Visitor Center at Convoy Point is closed to any vehicle parking and/or stopping and it is designated as a fire lane.
- The grassy area adjacent to the outbound and inbound gates right next to the turn circle are closed to any vehicle parking and/or stopping. These grassy areas have “no parking” signs on them.
- Parking in the four marked “island residents only” spaces at Convoy Point is prohibited by any other person other than an island resident or a guest of an island resident.

Question: Why?

Answer: These restrictions are set in place for the protection and safety of visitors at Biscayne National Park as well as for the protection of the resources. Many endangered and threatened species including but not limited to the Piping Plover, Green Sea Turtle, Loggerhead Sea Turtle among others use some of these areas for nesting and foraging. The shoreline area in Boca Chita is the location of a coral reef nursery.

4. SWIMMING, DIVING AND SNORKELING RESTRICTIONS

Question: Are there any areas where swimming, snorkeling and/or diving is not allowed?

Answer: Yes, these are the pertinent areas:

- A. "No swimming" areas include:
 - 1. The triangular shaped area, determine by connecting lines between U.S. Coast Guard navigational day marker #7 and #13 in Hawk Channel and Triumph Reef Light known as the Legare Anchorage.
 - 2. Within Boca Chita Key Harbor.
 - 3. Within Elliott Key Harbor.
 - 4. Within Convoy Point Harbor.
 - 5. Within the slow speed zone at the mouth of Boca Chita Key Harbor.
 - 6. Within the slow speed zone at the mouth of Elliott Key harbor.
 - 7. Within or near by one hundred feet (100') of all marked channels (aids to navigational markers).
- B. "No snorkeling and/or diving" areas include the following:
 - 1. The triangular shaped area, determine by connecting lines between U.S. Coast Guard navigational day marker #7 and #13 in Hawk Channel and Triumph Reef Light known as the Legare Anchorage.
 - 2. Within Boca Chita Key Harbor.
 - 3. Within Elliott Key Harbor.
 - 4. Within Convoy Point Harbor.
 - 5. Within the slow speed zone at the mouth of Boca Chita Key Harbor.
 - 6. Within the slow speed zone at the mouth of Elliott Key Harbor.
 - 7. Within or near by one hundred feet (100') of all marked channels (aids to navigational markers).

Question: Why?

Answer: These areas are restricted for the protection of the visitors. Visitors can be seriously injured or killed by other vessels traveling within these areas. The protection of cultural and natural resources is also a reason as to why these areas have restrictions imposed.

5. VESSEL SLOW SPEED ZONES

Question: Are there any slow speed/minimum wake areas within Biscayne National Park besides those established by the United States Coast Guard and/or the state of Florida (i.e. harbor and marina entry/exit channels/manatee zones)?

Answer: Yes, the following zones and/or areas are slow speed/minimum wake:

- A. Within the area marked by buoys at the mouth of Boca Chita Key Harbor as well as within the harbor.
- B. Within the area marked by buoys at the mouth of Elliott Key Harbor as well as within the harbor.
- C. Within the area marked by slow speed/minimum wake zone buoys encompassing Sands Cut, University Dock and Coon Point on Elliott Key's shoreline and for which is defined as

follows:

- From the southwestern tip of Sands Key running south to:
- Just east of Coon Point and from that point running west to:
- Coon Point on the shore line of Elliott Key
- Including the entire area from the buoys to the shore line of Elliott Key and ending:
- Between the southern tip of Sands Key and the northern tip of Elliott Key where Sands Cut leads to the open ocean.

Question: Why?

Answer: These slow speed restrictions are established for the protection of the visitors and resources, (more specifically to avoid or limit vessel accidents and to minimize visitor use conflicts.

6. CLOSED FISHING AREAS AND/OR ZONES

Question: Are there any areas and/or zones closed to fishing within Biscayne National Park?

Answer: Yes, the following areas and/or zones are closed to fishing year round:

- A. Within the area marked by buoys at the mouth of Boca Chita Key Harbor as well as within the harbor.
- B. Within the area marked by buoys at the mouth of Elliott Key Harbor as well as within the harbor. The only exception is that fishing from the maintenance dock just south of the main harbor is permitted.
- C. The area within the buoyed swim area at Elliott Key Harbor (hereby designated as within the limits of a swimming beach).
- D. The National Park Service boat basin at Park Headquarters at Convoy Point.
- E. The entrance/main road at Convoy Point.
- F. The northern side of Adams Key dock (fishing in the harbor).
- G. On the northern end of the Convoy Point picnic area adjacent to the boardwalk, just east of the canoe ramp/launch area.

Question: Why?

Answer: These restrictions are set in place to limit the possibility of a visitor being injured by fishing line as well as to limit the possibility of fishing line getting caught in a vessel's propellers as well as ensuring visitor enjoyment of the park in certain areas.

7. CLOSED AREAS AND/OR ZONES FOR PETS

Question: Are there any areas and/or zones within Biscayne National Park that are closed to pets?

Answer: Yes, except when the pet is used to aid individuals with disabilities, the following zones and/or areas are closed to pets:

- A. On any dry lands, except the developed areas at Convoy Point, Elliott Key and Adams Key.
- B. On vessels docked, tied, moored or otherwise attached to parklands or facilities, except in Convoy Point, Elliott Key and Adams Key harbors.

Question: Why?

Answer: Restrictions to where pets can be allowed are set in place for the protection of the resources, including but not limited to ground nesting birds at Boca Chita Key.

8. ACTIVITY RESTRICTIONS/DESIGNATED AREAS FOR SPECIFIC USE OR ACTIVITY

Question: Are there any restrictions on certain activities within Biscayne National Park?

Answer: Yes, the following restrictions or activities are established:

- A. There is a closure restriction for the use of any underwater viewing device including but not limited to face masks, glass bottom vessels, glass bottom buckets and/or cameras of any kind within the Legare Anchorage which is the triangular shaped area, determined by connecting lines between U. S. Coast Guard navigational day marker #7 and #13 in Hawk Channel and Triumph Reef Light. However, the area within a 200-yard radius around Bache Shoal Light and Triumph Reef Light are not included in this restrictions closure.
- B. Jones Lagoon is closed to all motorized vessels.
- C. The harvest of land crabs is prohibited at Convoy Point.
- D. Vehicle parking on the shoulders of the entrance/main road at Convoy Point is prohibited.
- E. Any type of commercial bus will not be left with its engine running within the parking lots at Convoy Point for more than five minutes.
- F. The administrative/headquarters area is closed to public recreational use every day of the year.
- G. The administrative/headquarters area may be utilized as an overflow parking area when necessary. While in use as an overflow parking area this area remains closed to recreational use.
- H. Other than on paved roads, bicycles are only allowed to be used on the Breeze Way and Spite Highway area of Elliott Key. The use of bicycles in any other non-developed, non-paved (road) areas is prohibited. (A violation of this section is found under 36 CFR 4.30).
- I. Water skiing is allowed anywhere within the park except in or within 100' of any marked navigational channels.
- J. "Segway" mobility devices or similar gyroscopic stabilized devices shall be authorized for use by individuals meeting the criteria of having substantial mobility limitation in accordance with Title V of the Rehabilitation Act of 1973. These devices are only allowed at Convoy Point. Within the Convoy Point area, these devices are allowed on park roads, paved parking areas, concrete sidewalks and/or areas as well as grass lawns. These devices may only be used at its slowest speed setting and limited to the cadence of a walking pedestrian, estimated to be no more than 2 to 3 miles per hour. Manufacturer safety features should be fully functioning and not be modified and all the manufacturer's recommended personal protective equipment must be worn at all times while operating these devices. Homemade or experimental alternatives to wheelchairs will not be allowed.

Question: Why?

Answer: These activity restrictions are set in place for the protection of the resource, the protection of the visitors from getting injured as well as ensuring visitor enjoyment of the park.

Preservation of natural, cultural and archeological resources (36 CFR 2.1)

9. LIMITS AND RESTRICTIONS RELATED TO POSSESSION OF NATURAL RESOURCES

Question: Are there any limits and/or restrictions regarding the possession of natural resources besides those established by law within Biscayne National Park?

Answer: Yes, the restrictions are the following:

- A. 36 CFR 2.1 (a) (4) prohibits using or possessing wood gathered from within the park area. However, dead and down wood, including driftwood may be collected only from the immediate vicinity of the Elliott Key ocean side campground where a fire ring is located, as well as the developed areas of Adams Key where another fire ring is located. Driftwood may be collected from the shorelines of Elliott Key, Boca Chita and Adams Key.
- B. 36 CFR 2.1(c)(1), "The superintendent may designate certain fruits, berries, nuts, or unoccupied seashells which may be gathered by hand for personal use or consumption upon a written that the gathering or consumption will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources." The following are authorized:
 - i. Collection, for personal use, of ripe coconuts found on the ground is permitted. Unripe coconuts still on the trees may not be collected or disturbed.
 - ii. Collection from the shoreline of a reasonable amount of ten (10 per person-per day) of unoccupied seashells, except conch, is permitted for personal use. Commercial collecting of seashells is prohibited to ensure that seashells are available for recreational collecting and to prevent the ecosystem from being adversely affected. The collection of unoccupied seashells does not significantly affect wildlife, plant life, or other natural resources.

Question: Why?

Answer: These restrictions are set in place for the protection of the resource.

Camping and food storage (36 CFR 2.10)

10. RESTRICTIONS ON CAMPING AND FOOD STORAGE

Question: Are there any restrictions related to camping and/or food storage within Biscayne National Park?

Answer: Yes, the following restrictions apply:

- A. A Special Use Permit, issued by the superintendent, is required to camp or moor a vessel for more than 14 consecutive days or more than 30 days within a calendar year. A violation of this can be found under 36 CFR 2.10 (b) (9).
- B. Camping is permitted in the *group* sites on Elliott Key and Boca Chita Key through reservations made through the park's campground coordinator. In the absence of a reservation, these *group* sites are available on a first come, first served basis. A violation of this can be found under 36 CFR 2.10 (b) (9).
- C. Camping is only permitted in Elliott Key Harbor campground and Boca Chita Key Harbor

campground and is restricted to the areas designated on the map available from the superintendent, posted on those bulletin boards on those islands or available at the Dante Fascell Visitor Center at Convoy Point. Camping is also not allowed within twenty five feet (25') of any structures at both islands. In addition at Elliott Key, camping is not allowed within the clearing immediately north of the Visitor Center. At Boca Chita Key, camping is not allowed within the clearing north of the barn structure. All camping is on a "first come, first served" basis. A violation of this can be found under 36 CFR 2.10 (b) (9).

- D. All food, lawfully taken fish, garbage and equipment used to cook and store food, must be kept inside a closed, secure compartment aboard a vessel, within a motor vehicle or within a latched container constructed of solid, non pliable material. This restriction does not apply to food that is being transported, prepared, and consumed or aboard vessels at anchor or under way. All food, lawfully taken fish and garbage must be attended at all times when it is not stored in the above manner. A violation of this can be found under 36 CFR 2.10 (d).

Question: Why?

Answer: These restrictions are set in place for the protection of the resource as well as the protection of the visitors and their belongings. Two of the zones mentioned above are helicopter landing areas in case of emergencies. Visitors camping there would prohibit the helicopter from landing.

Fires (36 CFR 2.13)

11. PERMITTED FIRE AREAS

Question: Are there any areas and/or zones where fires may be lighted and/or maintained within Biscayne National Park?

Answer: Yes, the only areas, zones and/or places where fires may be lighted and/or maintained are the following:

- A. Fires are permitted only in government provided and maintained grills or other grills designed for this purpose. Such fires are permitted only in the developed areas (campgrounds/picnic areas) at Convoy Point headquarters area, Adams Key, Elliott Key and Boca Chita Key. The government provided grills may not be moved. Personal grills may not be placed on the boardwalk, dock, picnic tables, under structures or any location where their heat may cause damage to structures or natural features. A violation of this can be found under 36 CFR 2.13 (a) (1).
- B. Ground fires are prohibited in all areas of the park except in the established fire rings at the Elliott Key group campsite and at Adams Key. A violation of this can be found under 36 CFR 2.13 (a) (1)
- C. Any other burning will strictly adhere to policies identified in the approved fire management plan for Biscayne National Park.

Question: Why?

Answer: These fire restrictions are set in place in order to limit the possibility of a wild land fire occurring as well as for the protection of the structures near the recreational areas and for the protection of the visitors.

Sunken, grounded or disabled vessels (36 CFR 3.14)

12. REMOVAL OF SUNKEN, GROUNDED, OR DISABLED VESSELS.

Question: Am I required to remove a sunken, grounded, or disabled vessel?

Answer: Yes, all sunken, grounded, or disabled vessels must be removed in accordance with the established Vessel Grounding Program Policies and Procedures document, available from the superintendent.

Vehicle speed limits (36 CFR 4.21)

13. ESTABLISHED SPEED LIMITS

Question: On the paved roads of Biscayne National Park (Convoy Point area) are there any established speed limits?

Answer: Yes, the speed limits are as follows:

- A. The speed limit in Biscayne National Park is fifteen miles per hour (15 mph), except on the straight section of the main park/entrance road. In this stretch of road the speed limit is thirty miles per hour (30 mph).

Question: Why?

Answer: These speed restrictions are set in place for the protection of the visitors as well as the resource. They are also set in place to limit vehicular accidents from occurring.